

CHESTNUTHILL TOWNSHIP SUPERVISORS
ROUTE 715, BRODHEADSVILLE, PA 18322
MINUTES OF MEETING – September 1, 2009

A regular meeting of the Chestnuthill Township Board of Supervisors was called to order at 7:00 p.m. on Tuesday, September 1, 2009 at the Township Municipal Building Rte 715, Brodheadsville. Those present were Chuck Gould (Chairman), Leigh Kane (Vice-Chairman), David Albright (Township Manager), Cathy Martinelli (Office Manager) and Atty. Joseph P. McDonald, Jr. David Fleetwood (Supervisor) was absent.

The **Pledge of Allegiance** to the Flag was led by Leigh Kane.

Executive Session. Was held on August 18th on pending litigation.

Unit Care Agreement. None.

Parks. Bernie Kozen was present to report the following:

- Star Gazing Aug 22 – rained out
- Family Camping Aug 22-23- Cancelled
- First Aid/CPR Training Sept 15
- Elk Bus Viewing Oct 3 – Bus trip is full
- Trick or Treat Oct 31
- Life Line Screening Nov. 5
- Art Workshops 10/10, 10/13, 10/29, 11/14

Public Comment.

Resident Rodger Kutzler mentioned there are no no-smoking signs posted in the park. Dave Albright said we will look into this.

Minutes. On motion made by Leigh Kane, seconded by Chuck Gould it was voted to approve the minutes of the August 4, 2009 meeting, as distributed. (2-0) On motion made by Chuck Gould, seconded by Leigh Kane it was voted to table the minutes of the August 18th meeting, as Leigh Kane was absent for that meeting and could not approve these minutes tonight. (2-0)

Correspondence.

Western Pocono Jaycees-donation request. On motion made by Leigh Kane, seconded by Chuck Gould it was voted to give a donation of \$100.00.(2-0)

Tax Collector Conference. June O'Neill has asked the Board for authorization to attend this years Tax Collector Conference. On motion made by Leigh Kane, seconded by Chuck Gould it was voted to approve this request for registration, hotel, meals and mileage. (2-0)

Old Business. None.

New Business. None.

Bills. On motion made by Leigh Kane, seconded by Chuck Gould it was voted to pay the General Fund Bills. (2-0)

Plans.

Keer Veterinary Hospital. (Land Development Plan) Berks Surveying & Engineering. It was asked via phone that this plan be tabled tonight. On motion made by Chuck Gould, seconded by Leigh Kane it was voted to table this plan. (2-0) (Plan date 3/31/09) (**open ended waiver 6/25/09**)

Kal-Tac Inc. (Land Development Plan/Reverse Subdivision Plan) Effort Associates. It was asked via phone that this plan be tabled tonight. On motion made by Chuck Gould, seconded by Leigh Kane it was voted to table this plan. (2-0) (Plan date 8/2003) (**open ended waiver**)

Herfurth, Steward & Kathleen. (Minor Subdivision) Effort Associates. Bill Kresge and Atty. John Dunn were present on behalf of this plan. Atty. McManus was present to advise the Board on the various concerns with storm water maintenance and fee's, as Atty. McDonald had a conflict of interest representing this plan. A lengthy discussion ensued, the issue is that M/M Herfurth are subdividing a lot off their existing parcel, which requires a storm water maintenance plan and fee's. M/M Herfurth's position is they may not build on this new parcel for several years and they would rather wait to post bond on all requirements until that time. Our ordinance states it must be done at the time of the subdivision. Atty. McManus has reviewed this and offered several options to the Board. On motion made by Chuck Gould, seconded by Leigh Kane it was voted to approve the Steward M. Herfurth, Sr. and Kathleen L. Herfurth Minor Subdivision Plan, subject to the condition that the plan will not be signed by the Board of Supervisors, nor released by the Township for recording, until:

1. The Development Agreement and Performance Guarantee required by Code 98-43 have been provided and accepted by the Township
2. The Operation and Maintenance Plan required by Code 92-28.A. has been provided to the Township and approved by the Municipal Engineer
3. The Standard Stormwater Maintenance and Monitoring Agreement for privately owned storm water facilities required by Code 92-29 has been provided and recorded.
4. The amount required to cover the cost of periodic inspections performed by the Township of the storm water facilities for a period of ten years, as estimated by the Municipal Engineer, has been paid into the Municipal Stormwater Maintenance Fund as required by Code 92-30 and the payment of all the Township's professional consultants fees incurred for reviews and reports with respect to this plan.

It was understood by all parties that if any Ordinance should change within the five year period, this plan will have to be updated. (2-0) (Plan date 4/2008) (**open ended waiver**)

Pleasant Valley Assembly of God. (Prelim/Final Plan) Niclaus Engineering. It was asked via phone to table this plan tonight. On motion made Chuck Gould, seconded by Leigh Kane it was voted to table this plan tonight. (2-0)(Plan date April 1, 2008) (**open ended waiver**)

Skaflestad, Clyde (Land Development Plan) George Collura. It was asked via phone to table this plan tonight. On motion made by Chuck Gould, seconded by Leigh Kane it was voted to table this plan tonight. (2-0)(Plan date 3/30/06) (**open ended waiver**)

Kinsley's Plaza Phase I (Prelim LDP) Niclaus Engineering. It was asked via phone to table this plan tonight. On motion made by Chuck Gould, seconded by Leigh Kane it was voted to table this plan tonight. (2-0)(Plan date 8/17/07) (**open ended waiver**)

Merwine, Connie (Land Development Plan) Tractor Supply, Inc. In for discussion re: sidewalks. A lengthy discussion ensued about the sidewalks. It was the consensus of the Board that sidewalks are necessary and should be shown on the plan along Rte 209 and the right side of the entrance road back to the Tractor Supply store.

Planning Module Approval.

Herfurth, Steward & Kathleen. (Minor Subdivision) On motion made by Chuck Gould, seconded by Leigh Kane it was voted to approve the planning module. (2-0)

Adjournment. There being no further business, on motion made by Leigh Kane, seconded by Chuck Gould it was voted to adjourn at 8:45 p.m. (2-0)

Respectfully submitted,

Cathy A. Martinelli
Recording Secretary